

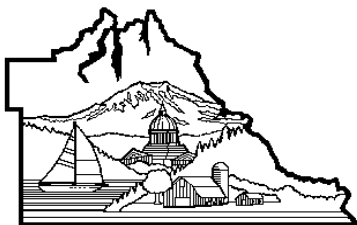
**NONREFUNDABLE \$10.00**

**FINAL ORDERS  
NON-PARENT  
CUSTODY**

**4-1F**

*✓ You have an open non-parent custody case that needs  
to be finalized*

*(Does not include Child Support)*



**THURSTON COUNTY**

**WASHINGTON**

SINCE 1852

*Linda Myhre Enlow, Thurston County Clerk  
Family & Juvenile Court  
2801 – 32<sup>nd</sup> Avenue SW  
Tumwater, WA 98512  
(360) 709-3269*

## **HOW TO FINALIZE A NON-PARENT CUSTODY ACTION** *(Third Party Custody)*

### **CHECKLIST**

**Use the forms and instructions in this packet only if the following factors apply to your situation:**

- ✓ You have an open non-parent custody case (filed under RCW 26.10)
- ✓ You need to obtain final orders; AND
- ✓ You have the agreement of both biological parents, OR your case is set for trial, OR
- ✓ The parents have been served, not responded nor appeared in the case and you want to obtain final orders by default (you will need additional paperwork not contained in this packet to obtain an order by default)

**READ ME:** It is very important for you to know that when you sign a court document, you may be helping or hurting your court case. Before you sign any court document or get involved with a court case, it is important that you carefully read the document to make sure you are doing the right thing. You may also want to contact a lawyer for legal advice and help with those issues you do not understand. If you need help with the forms, procedures and rules of the court, there is a Family Court Facilitator available to assist you.

# NON-PARENT CUSTODY FINAL ORDERS

## *Forms & Instructions*

<b>STEP ONE</b> <b>PREPARING FINAL DOCUMENTS</b>
1. Order on Adequate Cause
2. Final Residential Schedule (optional)
3. Findings and Conclusions
4. Final Non-Parent Custody Order
<b><u>REQUIREMENT:</u> To assure your paperwork is complete and to prepare for your final hearing, make an appointment with the Family Court Facilitator.</b>
<b>STEP TWO</b> <b>SCHEDULE FINAL HEARING</b>
5. Notice of Hearing
<b><u>Instruction:</u> Attend the FINAL hearing (if necessary).</b>

## ALL FORMS

Washington has pattern legal forms (contained in this packet) which you **must** use in divorce and other family law cases. Every document must be completed as follows:

*Enter your name here; you are the petitioner(s)*

*Enter the child(ren)'s name here*

*Sample of the number that will be assigned to your case*

**SUPERIOR COURT OF WASHINGTON  
FOR THURSTON COUNTY  
FAMILY AND JUVENILE COURT**

In Re the Custody of:

Child(ren)

Petitioner(s),

and

Respondent(s).

NO. 03-3-00111-34

DOCUMENT TITLE

*Enter the name of both the parents here, they are the respondents.*

*This will show the title of the form you are filling out*

- **The contents of the document:** All forms must be completed in ink or be typewritten. Make sure every section is completed. Read through each option for every paragraph and answer each question the best you can. If none of the choices apply to you mark "other" or "does not apply." Most sections will allow space for you to write in the answer if none of the choices apply to your situation.
- **Dates and Signatures:** Remember you are the Petitioner and many of the forms require your signature. On some forms you will have to sign twice. On the last page of most forms there is a place to fill in the date you are signing and a place for your signature. Be sure you sign, date and complete any other information it asks for such as address, phone number and printed name.

*Enter the date you are signing here*

*Sign your usual signature – IF  
MORE THAN ONE PETITIONER,  
BOTH MUST SIGN*

Sample:

Dated: \_\_\_\_\_

\_\_\_\_\_  
Signature of Petitioner

\_\_\_\_\_  
Address

\_\_\_\_\_  
Phone Number

\_\_\_\_\_  
Print or Type Name

*List your address where you can receive mail and a phone number where you can be reached during the day on week days.*

*Print your name clearly*

In some instances there will be the following declaration and place for you to fill in the city and state where you are signing. This is called a "verification" signature block. Even though this may appear to be duplicating the above signature, it is necessary, so be sure you fill in the information it asks for and sign it.

**Sample:**

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Signed at \_\_\_\_\_ on \_\_\_\_\_.  
(City and State) (Date)

*Enter the date you are signing*

*Enter city and state where you are at the time of signing*

*Sign your usual signature*

Signature \_\_\_\_\_  
Print or Type Name \_\_\_\_\_

*Print your name clearly*

- **NOTE:** On those pages where there is a date line and signature line for the judge to sign, **do not sign or date** in the space provided for the judge.

**Sample:**

Dated: \_\_\_\_\_

**Presented by:** Since you are the petitioner you will be signing the papers as the person presenting them to the judge. Fill in any other information requested such as address, phone, printed name, etc.

**Presented by:**

Signature \_\_\_\_\_  
Address \_\_\_\_\_  
Print Name \_\_\_\_\_

**Judge/Court Commissioner**

Approved for Entry;  
Notice of Presentation Waived:

Signature \_\_\_\_\_  
Address \_\_\_\_\_  
Print Name \_\_\_\_\_

**Approved for entry (Notice of presentation waived):** This is where the other party will sign approving the papers for entry with the court, and it also means the other party is not requiring notice of the date or time you will be presenting these papers to the judge. Fill in other information requested.

**STEP ONE: Complete all the forms below and make an appointment with the court facilitator before any of the parties sign.**

1. Order on Adequate Cause (if necessary)
2. Final Residential Schedule (optional)
3. Findings and Conclusions
4. Final Non-Parent Custody Order

***If you need to finalize the case by default, then you will need the motion and order for default. The clerk's office sells a packet with this paperwork.***

**STEP TWO: SCHEDULE YOUR HEARING AND ATTEND COURT DATE (IF NECESSARY)**

5. Notice of Hearing

**IMPORTANT**

***Local Court Rule LSPR 94.09 requires all final Orders be reviewed for proper form and completeness prior to presentation to the Court. Make sure your papers have been reviewed and approved by either the Family Court Facilitator (709-3269 or 709-3274), the Thurston County Volunteer Legal Clinic (943-6585 ext. 231), or a private attorney.***

**You can NOT SCHEDULE YOUR HEARING until you have met the above requirements.**

*(Document 1)* **Order on Adequate Cause.** This document is signed by the Judge if the court has found good reason for the case to proceed. If there is not already an order on adequate cause signed by a Judge, then you will need to present one with the other final documents.

*(Document 2)* **Residential Schedule (optional).** Complete this form to set out what visitation you are providing for one or both of the parents as part of the final orders.

*(Document 3)* **Findings and Conclusions** is one of the final documents that describes the parties involved, the facts of the case and what the court has determined should happen. Complete this form and have it ready for the Judge to sign at the final hearing.

*(Document 4)* **Final Non-Parent Custody Order** is signed at the final hearing. This document is the order by the court that says who will have custody of the child(ren), and additionally states whether or not there is a residential schedule and order of child support being entered.

*(Document 5)* **Notice of Hearing** is the document used to set all court hearings. Prepare this document and mark the appropriate box to indicate this is a final hearing.

## FINAL HEARING

This is a hearing in a courtroom with a Judge who will review your file, ask you some brief questions (taking oral testimony) and sign your papers. Your case will then be final. You may purchase certified copies of your final orders at the Clerk's Office one business day after your hearing. Certified copies are made at a cost of \$5.00 for the first page and \$1.00 for each additional page. A certified copy is one that the Clerk's Office makes with a stamp that indicates it is a true and correct copy of the original document on file. It is signed and sealed with the Clerk's stamp. You may also print a regular copy of the final Orders for .50 cents a page, the day after your hearing, by utilizing the computer available for the public at the courthouse.

***The Clerk's Office accepts cash, credit or debit cards.***

## **COURTROOM PROCEDURES AND PROTOCOL**

Be prepared. Review your paperwork before your hearing and make sure you have all the necessary orders and documents.

Show respect for the Court by dressing appropriately. Food and drinks are not allowed in the Court or the Clerk's office. Weapons (guns, pocket knives, scissors, etc.) are not allowed in the courthouse.

The courtroom is not an appropriate place for children. Please arrange for someone to watch them while you are in court. You may bring a friend or family member for moral support but that person must remain silent and stay in the audience.

Arrive at court at least 15 minutes early so you can locate the proper courtroom and make sure your case is on the docket. Plan to be at court for one to two hours, depending on what type of hearing is scheduled.

If your case is printed on the calendar posted on the wall at the courtroom, enter and seat yourself. If your case is not on the list, check with the court clerk in the front of the room for assistance. The judicial officer will announce a roll call of the cases scheduled for hearing. When your case is called, respond with "Ready, your honor." Proceed to the table/podium and face the judicial officer.

Be respectful and courteous at all times with the Court. The judicial officer will ask you questions. Be direct. If you don't understand or you don't know the answer, say so. Address the court when speaking, not the other party or their attorney. Don't interrupt the judicial officer or the other party/lawyer.

Generally, the party that scheduled the hearing has the first opportunity to present their argument. Each party has ten minutes to speak which includes a brief response to statements made by the other. Stick to the facts. You can only discuss those facts supported by written and sworn declarations or affidavits presented to the judicial officer or filed in your case file prior to the hearing.

Be sincere. Don't be sarcastic or argue with the Court or the other party.

After the judicial officer has made a ruling on the issues, a written order should be prepared which states the decisions made. Submit the Order for the judicial officer's signature when the hearing is over, or as soon as possible so the decision becomes official. If the order is submitted later, both parties will be required to sign. If the other party will not sign, a hearing will need to be scheduled and notice of the hearing must be properly served to the other party.

Once any orders are completed and signed, you may need copies. Copies of all filed documents are available at the clerk's office. Certified copies are \$5.00 for the first page and \$1.00 for each additional page. Regular copies are \$.50 a page. You will need certified copies of your final orders if you are changing your name.

Provided by: LINDA MYHRE ENLOW, Thurston County Clerk





Hearing Date: \_\_\_\_\_  
Hearing Time: \_\_\_\_\_  
Judge/Calendar: \_\_\_\_\_

**Superior Court of Washington, County of Thurston, Family & Juvenile Court**

In re custody of:

Children:

\_\_\_\_\_

Petitioner/s (*person/s who started this case*):

\_\_\_\_\_

Respondents (*parents and any guardian or custodian*):

\_\_\_\_\_

\_\_\_\_\_

No. \_\_\_\_\_

Order on Adequate Cause for Non-Parent  
Custody

(ORRACG / ORRACD / ORH)

[ ] Clerk's Action Required: **6**

**Order on Adequate Cause for Non-Parent Custody**

- 1.** (*Name*): \_\_\_\_\_ made a *Motion for Adequate Cause Decision* and the court finds there is reason to approve this order. (*Check one*):

[ ] An adequate cause hearing was held.

[ ] all parties agree there is adequate cause (valid reasons) for the case to move forward, or any party not in agreement has been defaulted.

➤ ***The Court Finds:***

**2. Jurisdiction**

[ ] This court has jurisdiction over the children in this case.

[ ] This court does **not** have jurisdiction over the children in this case.

[ ] Other (*specify*): \_\_\_\_\_

**3. Timing of Adequate Cause Decision**

[ ] The court **cannot** decide adequate cause yet because:

[ ] the deadline for filing a *Response* to the *Petition* has not passed.

[ ] not all parties have been served.

☐ other (specify): \_\_\_\_\_

☐ The court **can** decide adequate cause because:

☐ all parties have been served and the deadline for filing a *Response* to the *Petition* has passed.

☐ the motion was made by a Respondent and (describe any facts that affect timing for the other Respondent): \_\_\_\_\_

☐ other (specify): \_\_\_\_\_

#### 4. Adequate Cause

After considering the *Petition*, any supporting documents filed by the Petitioner, and any documents filed by the Respondents, the court finds the Petitioner (check one):

☐ has **not** established adequate cause (valid reasons) to move forward to a full hearing or trial because:

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☐ **has** established adequate cause (valid reasons) to move forward to a full hearing or trial because:

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#### 5. Other Findings (if any)

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➤ **The Court Orders:**

**6. Decision**

☐ **No Adequate Cause** – The (*check one*):

☐ *Non-Parent Custody Petition* ☐ *Petition to Terminate or Change Non-Parent Custody Order* is dismissed.

☐ **Adequate Cause Found** – The (*check one*):

☐ *Non-Parent Custody Petition* ☐ *Petition to Terminate or Change Non-Parent Custody Order* will move on to a full hearing or trial. The hearing or trial will take place (*check one*):

☐ at a later date to be set by the court.

☐ on (*date*): \_\_\_\_\_ at (*time*): \_\_\_\_\_ ☐ a.m. ☐ p.m.  
in (*Court, Room/Dept.*): \_\_\_\_\_

☐ on the date set by the case scheduling order made when the *Petition* was filed.

☐ No further hearing or trial date is needed because the court is signing the *Final Non-Parent Custody Order*, and any other final orders today by agreement or default.

**7. Other Orders (if any)**

**Ordered.**

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*Judge or Commissioner*

**Petitioner and Respondent or their lawyers fill out below.**

This order (*check any that apply*):

☐ is an agreement of the parties

☐ is presented by me

☐ may be signed by the court without notice to me

This order (*check any that apply*):

☐ is an agreement of the parties

☐ is presented by me

☐ may be signed by the court without notice to me

\_\_\_\_\_  
*Petitioner signs here or lawyer signs here + WSBA No.*

\_\_\_\_\_  
*Respondent signs here or lawyer signs here + WSBA No.*

\_\_\_\_\_  
*Print Name*

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*Print Name*

\_\_\_\_\_  
*Date*

This order (*check any that apply*):

☐ is an agreement of the parties

☐ is presented by me

☐ may be signed by the court without notice to me

This order (*check any that apply*):

☐ is an agreement of the parties

☐ is presented by me

☐ may be signed by the court without notice to me

\_\_\_\_\_  
*Other Petitioner or lawyer signs here + WSBA No.*

\_\_\_\_\_  
*Other Respondent or lawyer signs here + WSBA No.*

\_\_\_\_\_  
*Print Name*

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*Print Name*

\_\_\_\_\_  
*Date*

Hearing date: \_\_\_\_\_

Hearing time: \_\_\_\_\_

Judge/Calendar: \_\_\_\_\_

**Superior Court of Washington, County of Thurston, Family & Juvenile Court**

In re custody of:

Children:

\_\_\_\_\_

Petitioner/s (*person/s who started this case*):

\_\_\_\_\_

Respondents (*parents and any guardian or custodian*):

\_\_\_\_\_

\_\_\_\_\_

No. \_\_\_\_\_

Residential Schedule (Non-Parent  
Custody)

(PRS / TRS / RS)

[x] Clerk's action required: **1**

**Residential Schedule (Non-Parent Custody)**

- 1.** This residential schedule is a (*check one*):
- [ ] **Proposal** (request) by a party (*name/s*): \_\_\_\_\_.  
It is not a signed court order. (PRS)
- [ ] **Court order** signed by a judge or commissioner. This is a (*check one*):
- [ ] Temporary order. (TRS)
- [ ] Final order. (RS)
- [ ] This final residential schedule changes the last final residential schedule.

- 2. Custody** – The Petitioner/s is/are granted custody of the following children:

Child's name	Age	Child's name	Age
1.		4.	
2.		5.	
3.		6.	

- 3. Reasons for limiting a parent's visitation** (under RCW 26.10.160)

a. (*Parent's name*): \_\_\_\_\_

**Abandonment, neglect, child abuse, domestic violence, assault, or sex offense.**

(*If this parent has any of these problems, the court **must** limit his or her contact with the children and right to make decisions for the children.*)

- ☐ This parent does **not** have any of these problems. (*Skip to 3.b.*)
- ☐ This parent has one or more of these problems as follows (*check all that apply*):
- ☐ **Abandonment** – S/he intentionally abandoned a child listed in **2** for an extended time.
  - ☐ **Neglect** – S/he substantially refused to perform his/her parenting duties for a child listed in **2**.
  - ☐ **Child Abuse** – S/he (or someone living in his/her home) abused or threatened to abuse a child. The abuse was (*check all that apply*): ☐ physical ☐ sexual ☐ repeated emotional abuse.
  - ☐ **Domestic Violence** – S/he (or someone living in his/her home) has a history of domestic violence as defined in RCW 26.50.010.
  - ☐ **Assault** – S/he (or someone living in his/her home) has assaulted or sexually assaulted someone causing grievous physical harm or fear of such harm.
  - ☐ **Sex Offense** –
    - ☐ S/he has been convicted of a sex offense as an adult.
    - ☐ Someone living in this parent's home has been convicted as an adult or adjudicated as a juvenile of a sex offense.
  - ☐ **Other** (*specify*): \_\_\_\_\_

**b. (Parent's name):** \_\_\_\_\_

**Abandonment, neglect, child abuse, domestic violence, assault, or sex offense.**  
*(If this parent has any of these problems, the court **must** limit his or her contact with the children and right to make decisions for the children.)*

- ☐ This parent does **not** have any of these problems. (*Skip to 4.*)
- ☐ This parent has one or more of these problems as follows (*check all that apply*):
- ☐ **Abandonment** – S/he intentionally abandoned a child listed in **2** for an extended time.
  - ☐ **Neglect** – S/he substantially refused to perform his/her parenting duties for a child listed in **2**.
  - ☐ **Child Abuse** – S/he (or someone living in his/her home) abused or threatened to abuse a child. The abuse was (*check all that apply*): ☐ physical ☐ sexual ☐ repeated emotional abuse.
  - ☐ **Domestic Violence** – S/he (or someone living in his/her home) has a history of domestic violence as defined in RCW 26.50.010.
  - ☐ **Assault** – S/he (or someone living in his/her home) has assaulted or sexually assaulted someone causing grievous physical harm or fear of such harm.
  - ☐ **Sex Offense** –
    - ☐ S/he has been convicted of a sex offense as an adult.
    - ☐ Someone living in this parent's home has been convicted as an adult or adjudicated as a juvenile of a sex offense.

☐ **Other** (specify): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

#### **4. Limitations on visitation**

**a. (Parent's name):** \_\_\_\_\_

☐ Does not apply. There are no reasons for limitations checked in **3.a.** above. (Skip to **4.b.**)

☐ Because of the limiting factors checked in **3.a.** above, this parent has visitation as follows (check all that apply):

☐ No visitation with the children.

☐ Limited visitation as shown in the Parents' Visitation Schedule (**5 – 8**) below.

☐ Limited visitation as follows (specify schedule, list all contact here **instead** of in a Parents' Visitation Schedule, skip sections **5 – 8**): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

☐ **Supervised visitation.** All visits shall be supervised. Any costs of supervision must be paid by (name): \_\_\_\_\_

The supervisor shall be:

☐ a professional supervisor (name): \_\_\_\_\_

☐ a non-professional supervisor (name): \_\_\_\_\_

The dates and times of supervised contact will be:

☐ as shown in the Parents' Visitation Schedule (sections **5 – 8**) below.

☐ as follows (specify): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Specific rules for supervision, if any): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

☐ Other limitations or conditions during visitation (specify): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

☐ **Evaluation or treatment required.** This parent must:

☐ be evaluated for: \_\_\_\_\_.

☐ start (or continue) and comply with treatment:

☐ as recommended by the evaluation.

☐ as follows (specify kind of treatment and any other details): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

☐ provide a copy of the evaluation and compliance reports (*specify details*): \_\_\_\_\_

If this parent does not follow the evaluation or treatment requirements above, then  
(*what happens*): \_\_\_\_\_

☐ **No limitations despite reasons.** Despite the limiting factors checked in **3.a.** above, there should be no limitations or conditions on this parent's visitation because the limiting factors do not involve a sex offense and (*check one or more*):

☐ the parent's past conduct checked above did not affect the children.

☐ contact with the children will not cause them physical, sexual, or emotional harm, and it is so unlikely that the parent will behave in a harmful or abusive way again that it is not in the children's best interest to limit visitation.

**b. (Parent's name):** \_\_\_\_\_

☐ Does not apply. There are no reasons for limitations checked in **3.b.** above. (*Skip to Parents' Visitation Schedule.*)

☐ Because of the limiting factors checked in **3.b.** above, this parent has visitation as follows (*check all that apply*):

☐ No visitation with the children.

☐ Limited visitation as shown in the Parents' Visitation Schedule (**5 – 8**) below.

☐ Limited visitation as follows (*specify schedule, list all contact here **instead** of in a Parents' Visitation Schedule, skip sections **5 – 8***): \_\_\_\_\_

☐ **Supervised visitation.** All visits shall be supervised. Any costs of supervision must be paid by (*name*): \_\_\_\_\_

The supervisor shall be:

☐ a professional supervisor (*name*): \_\_\_\_\_

☐ a non-professional supervisor (*name*): \_\_\_\_\_

The dates and times of supervised contact will be:

☐ as shown in the Parents' Visitation Schedule (sections **5 – 8**) below.

☐ as follows (*specify*): \_\_\_\_\_

(*Specific rules for supervision, if any*): \_\_\_\_\_

☐ Other limitations or conditions during visitation (*specify*): \_\_\_\_\_

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☐ **Evaluation or treatment required.** This parent must:

☐ be evaluated for: \_\_\_\_\_.

☐ start (or continue) and comply with treatment:

☐ as recommended by the evaluation.

☐ as follows (*specify kind of treatment and any other details*): \_\_\_\_\_

☐ provide a copy of the evaluation and compliance reports (*specify details*): \_\_\_\_\_

If this parent does not follow the evaluation or treatment requirements above, then  
(*what happens*): \_\_\_\_\_

☐ **No limitations despite reasons.** Despite the limiting factors checked in **3.b.**  
*above*, there should be no limitations or conditions on this parent's visitation because  
the limiting factors do not involve a sex offense and (*check one or more*):

☐ the parent's past conduct checked above did not affect the children.

☐ contact with the children will not cause them physical, sexual, or emotional  
harm, and it is so unlikely that the parent will behave in a harmful or abusive  
way again that it is not in the children's best interest to limit visitation.

## ➤ **Parents' Visitation Schedule**

Check one:

☐ **Skip** the parents' visitation schedule in sections **5 - 8** *if* both parents have no contact with  
the children other than what is described in section **4** – Limitations.

The children live with the Petitioner/s except as described in section **4**.

☐ **Complete** the parents' visitation schedule in sections **5 - 8**.

### **5. School Schedule**

#### **a. Children under School-Age**

☐ Does not apply. All children are school-age.

☐ The schedule for children under school-age is the same as for school-age children.

☐ Children under school-age will live with Petitioner/s except when they are scheduled  
to be with a parent.

**Parent (name):** \_\_\_\_\_'s visitation schedule is  
(*check all that apply*):

☐ WEEKENDS: ☐ every week ☐ every other week ☐ other (*specify*): \_\_\_\_\_

from (day) \_\_\_\_\_ at \_\_\_\_:\_\_\_\_.m. to (day) \_\_\_\_\_ at \_\_\_\_:\_\_\_\_.m.



from (day) \_\_\_\_\_ at \_\_\_\_:\_\_\_\_.m. to (day) \_\_\_\_\_ at \_\_\_\_:\_\_\_\_.m.  
[ ] OTHER (specify): \_\_\_\_\_

**Parent (name):** \_\_\_\_\_'s visitation schedule is  
(check all that apply):

[ ] WEEKENDS: [ ] every week [ ] every other week [ ] other (specify): \_\_\_\_\_  
from (day) \_\_\_\_\_ at \_\_\_\_:\_\_\_\_.m. to (day) \_\_\_\_\_ at \_\_\_\_:\_\_\_\_.m.  
from (day) \_\_\_\_\_ at \_\_\_\_:\_\_\_\_.m. to (day) \_\_\_\_\_ at \_\_\_\_:\_\_\_\_.m.  
[ ] OTHER (specify): \_\_\_\_\_

[ ] Other (specify): \_\_\_\_\_

#### **b. School-Age Children**

This schedule will apply (check one):

[ ] immediately.  
[ ] when the youngest child enters (check one): [ ] Kindergarten [ ] 1st grade  
[ ] when the oldest child enters (check one): [ ] Kindergarten [ ] 1st grade  
[ ] Other: \_\_\_\_\_

The children will live with the Petitioner/s except when they are scheduled to be with a parent.

**Parent (name):** \_\_\_\_\_'s visitation schedule is  
(check all that apply):

[ ] WEEKENDS: [ ] every week [ ] every other week [ ] other (specify): \_\_\_\_\_  
from (day) \_\_\_\_\_ at \_\_\_\_:\_\_\_\_.m. to (day) \_\_\_\_\_ at \_\_\_\_:\_\_\_\_.m.  
from (day) \_\_\_\_\_ at \_\_\_\_:\_\_\_\_.m. to (day) \_\_\_\_\_ at \_\_\_\_:\_\_\_\_.m.  
[ ] OTHER (specify): \_\_\_\_\_

**Parent (name):** \_\_\_\_\_'s visitation schedule is  
(check all that apply):

[ ] WEEKENDS: [ ] every week [ ] every other week [ ] other (specify): \_\_\_\_\_  
from (day) \_\_\_\_\_ at \_\_\_\_:\_\_\_\_.m. to (day) \_\_\_\_\_ at \_\_\_\_:\_\_\_\_.m.  
from (day) \_\_\_\_\_ at \_\_\_\_:\_\_\_\_.m. to (day) \_\_\_\_\_ at \_\_\_\_:\_\_\_\_.m.  
[ ] OTHER (specify): \_\_\_\_\_

[ ] Other (specify): \_\_\_\_\_

### **6. Summer Schedule**

Summer begins and ends [ ] according to the school calendar. [ ] as follows: \_\_\_\_\_

- ☐ The Summer Schedule is the **same** as the School Schedule. *(Skip to 7.)*
- ☐ The Summer Schedule is the **same** as the School Schedule **except** that  
*(name/s):* \_\_\_\_\_ shall spend \_\_\_\_\_ weeks  
 of uninterrupted vacation time with the children each summer. The parties shall  
 confirm their vacation schedules in writing by the end of *(date)* \_\_\_\_\_  
 each year. *(Skip to 7.)*

- ☐ The Summer Schedule is **different** than the School Schedule. The Summer Schedule  
 will begin the summer before:

*(check one):* ☐ the youngest child ☐ the oldest child ☐ each child  
 begins *(check one):* ☐ Kindergarten ☐ 1st grade ☐ Other: \_\_\_\_\_

During the summer, the children will live with the Petitioner/s except when they are  
 scheduled to be with a parent.

**Parent (name):** \_\_\_\_\_'s visitation schedule is  
*(check all that apply):*

- ☐ WEEKENDS: ☐ every week ☐ every other week ☐ other *(specify):* \_\_\_\_\_  
 from (day) \_\_\_\_\_ at \_\_\_\_:\_\_\_\_.m. to (day) \_\_\_\_\_ at \_\_\_\_:\_\_\_\_.m.  
 from (day) \_\_\_\_\_ at \_\_\_\_:\_\_\_\_.m. to (day) \_\_\_\_\_ at \_\_\_\_:\_\_\_\_.m.  
☐ OTHER *(specify):* \_\_\_\_\_

**Parent (name):** \_\_\_\_\_'s visitation schedule is  
*(check all that apply):*

- ☐ WEEKENDS: ☐ every week ☐ every other week ☐ other *(specify):* \_\_\_\_\_  
 from (day) \_\_\_\_\_ at \_\_\_\_:\_\_\_\_.m. to (day) \_\_\_\_\_ at \_\_\_\_:\_\_\_\_.m.  
 from (day) \_\_\_\_\_ at \_\_\_\_:\_\_\_\_.m. to (day) \_\_\_\_\_ at \_\_\_\_:\_\_\_\_.m.  
☐ OTHER *(specify):* \_\_\_\_\_

## 7. Holiday Schedule (includes school breaks)

- ☐ The Holiday Schedule is the **same** as the School and Summer Schedules above for all  
 holidays and school breaks. *(Skip to 8.)*
- ☐ This is the Holiday Schedule for ☐ all children ☐ school-age children only.

The children will be with the **Petitioner/s** for all holidays and school breaks **except** as  
 listed below. *(Put one parent's name in each column and fill out when the children will  
 be with that parent for holidays and school breaks.)*

Holiday	Children with (name):	Children with (name):
Martin Luther	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr.	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr.

Holiday	Children with (name):	Children with (name):
King Jr. Day	Begin day/time: _____	Begin day/time: _____
	End day/time: _____	End day/time: _____
	<input type="checkbox"/> With the person who has the children for the attached weekend <input type="checkbox"/> Other plan: _____	
Presidents' Day	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____
	<input type="checkbox"/> With the person who has the children for the attached weekend <input type="checkbox"/> Other plan: _____	
Mid-winter Break	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____
	<input type="checkbox"/> Each person has the children for the half of the break attached to his/her weekend. The children must be exchanged on Wednesday at (time): _____. <input type="checkbox"/> Other plan: _____	
Spring Break	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____
	<input type="checkbox"/> Each person has the children for the half of the break attached to his/her weekend. The children must be exchanged on Wednesday at (time): _____. <input type="checkbox"/> Other plan: _____	
Mother's Day	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____
	<input type="checkbox"/> Other plan: _____	
Memorial Day	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____
	<input type="checkbox"/> With the person who has the children for the attached weekend <input type="checkbox"/> Other plan: _____	

Holiday	Children with (name):	Children with (name):
Father's Day	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____
	<input type="checkbox"/> Other plan:	
Fourth of July	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____
	<input type="checkbox"/> Follow the Summer Schedule in section <b>6</b> . <input type="checkbox"/> Other plan:	
Labor Day	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____
	<input type="checkbox"/> With the person who has the children for the attached weekend <input type="checkbox"/> Other plan:	
Thanksgiving Day / Break	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____
	<input type="checkbox"/> Other plan:	
Winter Break	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____
	<input type="checkbox"/> Other plan:	
Christmas Eve	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____
	<input type="checkbox"/> Follow the Winter Break schedule above. <input type="checkbox"/> Other plan:	

Holiday	Children with (name):	Children with (name):
Christmas Day	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____
	<input type="checkbox"/> Follow the Winter Break schedule above. <input type="checkbox"/> Other plan: _____	
New Year's Eve / New Year's Day <i>(odd/even is based on New Year's Eve)</i>	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____
	<input type="checkbox"/> Follow the Winter Break schedule above. <input type="checkbox"/> Other plan: _____	
Children's Birthdays	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____
	<input type="checkbox"/> Other plan: _____	
All three-day weekends not listed elsewhere	<i>(Federal holidays, school in-service days, etc.)</i> <input type="checkbox"/> The children shall spend any unspecified holiday or non-school day with the person who has them for the attached weekend. <input type="checkbox"/> Other plan: _____	
Other occasion important to the family: _____	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____
	<input type="checkbox"/> Other plan: _____	
Other occasion important to the family: _____	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____	<input type="checkbox"/> Odd Years <input type="checkbox"/> Even Years <input type="checkbox"/> Every Yr. Begin day/time: _____ End day/time: _____
	<input type="checkbox"/> Other plan: _____	

## 8. Conflicts in Scheduling

The Holiday Schedule must be observed over all other schedules. If there are conflicts within the Holiday Schedule (*check all that apply*):

☐ Named holidays shall be followed before school breaks.

☐ Children's birthdays shall be followed before named holidays and school breaks.

☐ Other (*specify*): \_\_\_\_\_

## 9. Transportation Arrangements

The children will be exchanged for visitation (picked up and dropped off) at:

☐ each party's home.

☐ school or day care when in session.

☐ other location (*specify*): \_\_\_\_\_

Who is responsible for arranging transportation?

☐ The **picking up** party – The person who is about to **start** time with the children must arrange to have the children picked up.

☐ The **dropping off** party – The person whose time is **ending** must arrange to have the children dropped off.

☐ **All** transportation will be arranged by (*name*): \_\_\_\_\_

Other details (if any): \_\_\_\_\_

## 10. Moving with the Children (Relocation)

Anyone with majority or substantially equal residential time (at least 45 percent) who wants to move with the children **must notify** every other person who has court-ordered time with the children.

### ***Move to a different school district***

If the move is to a different school district, the custodian must complete the form *Notice of Intent to Move with Children* (FL Relocate 701) and deliver it at least **60 days** before the intended move.

#### *Exceptions:*

- If the custodian could not reasonably have known enough information to complete the form in time to give 60 days' notice, the custodian must give notice within **5 days** after learning the information.
- If the custodian is relocating to a domestic violence shelter or moving to avoid a clear, immediate and unreasonable risk to health or safety, notice may be delayed **21 days**.
- If information is protected under a court order or the address confidentiality program, it may be withheld from the notice.
- A custodian who believes that giving notice would put her/himself or a child at unreasonable risk of harm, may ask the court for permission to leave things out of the notice or to be allowed to move without giving notice. Use form *Motion to Limit Notice of Intent to Move with Children (Ex Parte)* (FL Relocate 702).

The *Notice of Intent to Move with Children* can be delivered by having someone personally serve the other party or by any form of mail that requires a return receipt.

If the custodian wants to change the *Parenting Plan* because of the move, s/he must deliver a proposed *Parenting Plan* together with the *Notice*.

### ***Move within the same school district***

If the move is within the *same* school district, the custodian still has to let the other parent know. However, the notice does not have to be served personally or by mail with a return receipt. Notice to the other party can be made in any reasonable way. No specific form is required.

### ***Warning! If you do not notify...***

A custodian who does not give the required notice may be found in contempt of court. If that happens, the court can impose sanctions. Sanctions can include requiring the custodian to bring the children back if the move has already happened, and ordering the custodian to pay the other side's costs and lawyer's fees.

### ***Right to object***

A person who has court-ordered time with the children can object to a move to a different school district and/or to the custodian's proposed *Parenting Plan*. If the move is within the same school district, the other party doesn't have the right to object to the move, but s/he may ask to change the *Parenting Plan* if there are adequate reasons under the modification law (RCW 26.09.260).

An objection is made by filing the *Objection about Moving with Children and Petition about Changing a Parenting/Custody Order (Relocation)* (form FL Relocate 721). File your *Objection* with the court and serve a copy on the custodian and anyone else who has court-ordered time with the children. Service of the *Objection* must be by personal service or by mailing a copy to each person by any form of mail that requires a return receipt. The *Objection* must be filed and served no later than **30 days** after the *Notice of Intent to Move with Children* was received.

### ***Right to move***

During the 30 days after the *Notice* was served, the custodian may not move to a different school district with the children unless s/he has a court order allowing the move.

After the 30 days, if no *Objection* is filed, the custodian may move with the children without getting a court order allowing the move.

After the 30 days, if an *Objection* has been filed, the custodian may move with the children **pending** the final hearing on the *Objection* **unless**:

- The other party gets a court order saying the children cannot move, or
- The other party has scheduled a hearing to take place no more than 15 days after the date the *Objection* was served on the custodian. However, the custodian may ask the court for an order allowing the move even though a hearing is pending if the custodian believes that s/he or a child is at unreasonable risk of harm.

▪

The court may make a different decision about the move at a final hearing on the *Objection*.

### ***Parenting Plan after move***

If the custodian served a proposed *Parenting Plan* with the *Notice*, **and** if no *Objection* is filed within 30 days after the *Notice* was served (or if the parties agree):

- Both parties may follow that proposed plan without being held in contempt of the *Parenting Plan* that was in place before the move. However, the proposed plan cannot be enforced by contempt unless it has been approved by a court.

- Either party may ask the court to approve the proposed plan. Use form *Ex Parte Motion for Final Order Changing Parenting Plan – No Objection to Moving with Children* (FL Relocate 706).

### Forms

You can find forms about moving with children at:

- The Washington State Courts' website: [www.courts.wa.gov/forms](http://www.courts.wa.gov/forms),
- The Administrative Office of the Courts – call: (360) 705-5328,
- Washington LawHelp: [www.washingtonlawhelp.org](http://www.washingtonlawhelp.org), or
- The Superior Court Clerk's office or county law library (for a fee).

(This is a summary of the law. The complete law is in RCW 26.09.430 through 26.09.480.)

## 11. Other

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## 12. Proposal

- ☐ Does not apply. This is a court order.
- ☐ This is a **proposed** (requested) residential schedule. (*The person/s requesting this schedule must read and sign below.*)

I declare under penalty of perjury under the laws of the state of Washington that this schedule was proposed in good faith and the information in section **3** above is true.



\_\_\_\_\_  
Person requesting schedule signs here

\_\_\_\_\_  
Signed at (city and state)



\_\_\_\_\_  
Other person requesting sched. (if agreed) signs here Signed at (city and state)

## 13. Court Order

- ☐ Does not apply. This is a proposal.
- ☐ This is a court order (if signed by a judge or commissioner below).

**Findings of Fact** – Based on the pleadings and any other evidence considered:

The Court adopts the statements in section **3** (Reasons for limiting a parent's visitation) as its findings.

☐ The Court makes additional findings which are:

☐ contained in an order or findings of fact entered at the same time as this *Residential Schedule*.

☐ attached as Exhibit A as part of this *Residential Schedule*.

☐ other: \_\_\_\_\_

\_\_\_\_\_

**Conclusions of Law** – This *Residential Schedule* is in the best interest of the children.

☐ Other: \_\_\_\_\_

\_\_\_\_\_



\_\_\_\_\_  
\_\_\_\_\_  
**Order** – The parties must follow this *Residential Schedule*.

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*Judge or Commissioner signs here*

**Warning!** If you don't follow this *Residential Schedule*, the court may find you in contempt (RCW 26.09.160). You still have to follow this *Residential Schedule* even if the other party doesn't.

Violation of **residential** provisions of this order with actual knowledge of its terms is punishable by contempt of court and may be a criminal offense under RCW 9A.40.060(2) or 9A.40.070(2). Violation of this order may subject a violator to arrest.

**If this is a court order, the parties and/or their lawyers (and any GAL) sign below.**

This order (*check any that apply*):

☐ is an agreement of the parties.

☐ is presented by me.

☐ may be signed by the court without notice to me.

This order (*check any that apply*):

☐ is an agreement of the parties.

☐ is presented by me.

☐ may be signed by the court without notice to me.

\_\_\_\_\_  
*Petitioner signs here or lawyer signs here + WSBA #*

\_\_\_\_\_  
*Respondent signs here or lawyer signs here + WSBA #*

\_\_\_\_\_  
*Print Name*

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*Print Name*

\_\_\_\_\_  
*Date*

This order (*check any that apply*):

☐ is an agreement of the parties.

☐ is presented by me.

☐ may be signed by the court without notice to me.

This order (*check any that apply*):

☐ is an agreement of the parties.

☐ is presented by me.

☐ may be signed by the court without notice to me.

\_\_\_\_\_  
*Other party or lawyer signs here + WSBA #*

\_\_\_\_\_  
*Other party or Guardian ad Litem signs here*

\_\_\_\_\_  
*Print Name*

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*Print Name*

\_\_\_\_\_  
*Date*

Case Name: \_\_\_\_\_ No. \_\_\_\_\_

## **Attachment: Summary of the law about moving with children (Child Relocation Act, RCW 26.09.430 - .480)**

### **Notice**

Anyone with majority or substantially equal residential time (at least 45 percent) who wants to move with the children **must notify** every other person who has court-ordered time with the children.

### **Move to a different school district**

If the move is to a different school district, the relocating person must complete the form *Notice of Intent to Move with Children* (FL Relocate 701) and deliver it at least **60 days** before the intended move.

#### *Exceptions:*

- If the relocating person could not reasonably have known enough information to complete the form in time to give 60 days' notice, s/he must give notice within **5 days** after learning the information.
- If the relocating person is relocating to a domestic violence shelter or moving to avoid a clear, immediate, and unreasonable risk to health or safety, notice may be delayed **21 days**.
- If information is protected under a court order or the address confidentiality program, it may be withheld from the notice.
- A relocating person who believes that giving notice would put her/himself or a child at unreasonable risk of harm, may ask the court for permission to leave things out of the notice or to be allowed to move without giving notice. Use form *Motion to Limit Notice of Intent to Move with Children* (Ex Parte) (FL Relocate 702).

The *Notice of Intent to Move with Children* can be delivered by having someone personally serve the other party or by any form of mail that requires a return receipt.

If the relocating person wants to change the *Parenting Plan* because of the move, s/he must deliver a proposed *Parenting Plan* together with the *Notice*.

### **Move within the same school district**

If the move is within the *same* school district, the relocating person still has to let the other parent

know. However, the notice does not have to be served personally or by mail with a return receipt. Notice to the other party can be made in any reasonable way. No specific form is required.

### **Warning! If you do not notify...**

A relocating person who does not give the required notice may be found in contempt of court. If that happens, the court can impose sanctions. Sanctions can include requiring the relocating person to bring the children back if the move has already happened, and ordering the relocating person to pay the other side's costs and lawyer's fees.

### **Right to object**

A person who has court-ordered time with the children can object to a move to a different school district and/or to the relocating person's proposed *Parenting Plan*. If the move is within the same school district, the other party doesn't have the right to object to the move, but s/he may ask to change the *Parenting Plan* if there are adequate reasons under the modification law (RCW 26.09.260).

An objection is made by filing the *Objection about Moving with Children and Petition about Changing a Parenting/Custody Order (Relocation)* (form FL Relocate 721). File your *Objection* with the court and serve a copy on the relocating person and anyone else who has court-ordered time with the children. Service of the *Objection* must be by personal service or by mailing a copy to each person by any form of mail that requires a return receipt. The *Objection* must be filed and served no later than **30 days** after the *Notice of Intent to Move with Children* was received.

### **Right to move**

During the 30 days after the *Notice* was served, the relocating person may not move to a different school district with the children unless s/he has a court order allowing the move.

After the 30 days, if no *Objection* is filed, the relocating person may move with the children without getting a court order allowing the move.

After the 30 days, if an *Objection* has been filed, the relocating person may move with the children **pending** the final hearing on the *Objection* **unless**:

- The other party gets a court order saying the children cannot move, or
- The other party has scheduled a hearing to take place no more than 15 days after the date the *Objection* was served on the relocating person. (However, the relocating person may ask the court for an order allowing the move even though a hearing is pending if the relocating person believes that s/he or a child is at unreasonable risk of harm.)

The court may make a different decision about the move at a final hearing on the *Objection*.

### ***Parenting Plan after move***

If the relocating person served a proposed *Parenting Plan* with the *Notice*, **and** if no *Objection* is filed within 30 days after the *Notice* was served (or if the parties agree):

- Both parties may follow that proposed plan without being held in contempt of the *Parenting Plan* that was in place before the move.

However, the proposed plan cannot be enforced by contempt unless it has been approved by a court.

- Either party may ask the court to approve the proposed plan. Use form *Ex Parte Motion for Final Order Changing Parenting Plan – No Objection to Moving with Children* (FL Relocate 706).

### ***Forms***

You can find forms about moving with children at:

- The Washington State Courts' website:  
[www.courts.wa.gov/forms](http://www.courts.wa.gov/forms),
- The Administrative Office of the Courts – call: (360) 705-5328,
- Washington LawHelp:  
[www.washingtonlawhelp.org](http://www.washingtonlawhelp.org), or
- The Superior Court Clerk's office or county law library (for a fee).

*(This is a summary of the law. The complete law is in RCW 26.09.430 through 26.09.480.)*

Hearing date: \_\_\_\_\_

Hearing time: \_\_\_\_\_

Judge/Calendar: \_\_\_\_\_

**Superior Court of Washington, County of Thurston, Family & Juvenile Court**

In re custody of:

Children:

\_\_\_\_\_

Petitioner/s *(person/s who started this case)*:

\_\_\_\_\_

Respondents *(parents and any guardian or custodian)*:

\_\_\_\_\_

\_\_\_\_\_

No. \_\_\_\_\_

Findings and Conclusions on Non-Parent  
Custody Petition  
(FNFCL)

**Findings and Conclusions on  
Non-Parent Custody Petition**

**Use this form** together with either a Final Non-Parent Custody Order (form FL Non-Parent 431) or a Final Order Denying Non-Parent Custody (form FL Non-Parent 432).

**1. Basis for findings and conclusions** *(check all that apply)*:

☐ Parties' agreement.

☐ Default Order *(date)*: \_\_\_\_\_.

☐ Trial for this case on *(date)*: \_\_\_\_\_, with the following people present  
*(check all that apply)*:

☐ Petitioner *(name)*: \_\_\_\_\_ ☐ This person's lawyer

☐ Other Petitioner *(name)*: \_\_\_\_\_ ☐ This person's lawyer

☐ Respondent *(name)*: \_\_\_\_\_ ☐ This person's lawyer

☐ Other Respondent *(name)*: \_\_\_\_\_ ☐ This person's lawyer

☐ Guardian ad Litem *(name)*: \_\_\_\_\_

☐ Other *(name and relationship to this case)*: \_\_\_\_\_

## 2. Indian children

(An **Indian child** is a child who is a member of an Indian tribe, or who is the biological child of an Indian tribe member and eligible for membership.)

☐ **None** of the children are Indian children. The state and federal *Indian Child Welfare Acts* do not apply to this case. The court makes this conclusion because (*check all that apply*):

☐ the Petitioner made a good faith effort to find out if any child in this case is an Indian child. (RCW 13.38.050.) The court has received no information showing that any child is or may be an Indian child.

☐ the Petitioner notified the tribal agent of every tribe the children may have been eligible for membership in. *List tribes notified:* \_\_\_\_\_

\_\_\_\_\_  
Each tribe responded that the children were not tribal members and not eligible for membership.

☐ other (*specify*): \_\_\_\_\_

☐ **These children are Indian children:**

Children	Tribe
<input type="checkbox"/> All children <input type="checkbox"/> ( <i>name/s</i> ):	
<input type="checkbox"/> All children <input type="checkbox"/> ( <i>name/s</i> ):	

### The federal and state Indian Child Welfare Acts apply to this case.

**Notice to tribes** – The Petitioner ☐ provided ☐ did **not** provide the required *Indian Child Welfare Act Notice* (form FL Non-Parent 402) and a copy of the *Petition* to the agent for the tribe/s named above, the parents and any Indian custodian.

**Evidence** – The evidentiary requirements of the Acts ☐ have ☐ have **not** been met as described below. (RCW 13.38.130)

- **Active efforts** – The following active efforts were made to provide remedial services and rehabilitative programs designed to prevent the breakup of the Indian family: (*Active efforts means: “a documented, concerted, and good faith effort to facilitate the parent's or Indian custodian's receipt of and engagement in” those services and programs. RCW 13.38.040.*)  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- **Serious emotional or physical damage** – The court considered testimony from a qualified expert witness as defined in RCW 13.38.130. The court finds by clear

and convincing evidence that the children (*check one*): ☐ would ☐ would **not** likely suffer serious emotional or physical damage if they lived with either parent or an Indian custodian. The Court makes this conclusion because:

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### 3. Jurisdiction over Indian children

- ☐ Does not apply. None of the children are Indian children.
- ☐ This court **cannot** decide this case for these Indian children (*names*): \_\_\_\_\_ because this court does not have jurisdiction over them. The *Petition* should be dismissed as to these children.
- ☐ This court **can** decide this case for the Indian children because (*check one*):
- ☐ (*Children's names*): \_\_\_\_\_ are **not** domiciled or living on an Indian reservation, and are not wards of a tribal court. (25 USC §1911)
- ☐ (*Children's names*): \_\_\_\_\_ **are** domiciled or living on an Indian reservation, or are wards of a tribal court, however (*check all that apply*):
- ☐ The children's tribe agrees to Washington State's concurrent jurisdiction.
- ☐ The children's tribe decided not to use its exclusive jurisdiction (expressly declined). (RCW 13.38.060)
- ☐ Washington State should claim emergency jurisdiction for children temporarily located off the reservation to protect the children from immediate physical damage or harm. (RCW 13.38.140)
- ☐ Other (*specify*): \_\_\_\_\_

### 4. Dependency case

- ☐ There is no open dependency case for these children.
- ☐ There is an open dependency case for these children in \_\_\_\_\_ county under case number: \_\_\_\_\_. The court handling the dependency has signed an order allowing this court to proceed with this non-parent custody case.

### 5. Jurisdiction over the children (RCW 26.27.201 – .221, .231, .261, .271)

- ☐ This court **cannot** decide this case for these children (*names*): \_\_\_\_\_ because this court does not have jurisdiction over them. The *Petition* should be dismissed as to these children.
- ☐ This court **can** decide this case for these children because (*check all that apply; if a box applies to all of the children, you may write "the children" instead of listing names*):

- [ ] **Exclusive, continuing jurisdiction** – A Washington court has already made a parenting plan, residential schedule or custody order for the children, and the court still has authority to make other orders for *(children's names)*: \_\_\_\_\_.
- [ ] **Home state jurisdiction** – Washington is the children's home state because *(check all that apply)*:
- [ ] *(Children's names)*: \_\_\_\_\_ lived in Washington with a parent or someone acting as a parent for at least the 6 months just before this case was filed, or if the children were less than 6 months old when the case was filed, they had lived in Washington with a parent or someone acting as a parent since birth.
- [ ] There were times the children were not in Washington in the 6 months just before this case was filed (or since birth if they were less than 6 months old), but those were temporary absences.
- [ ] *(Children's names)*: \_\_\_\_\_ do not live in Washington right now, but Washington was the children's home state sometime in the 6 months just before this case was filed, and a parent or someone acting as a parent of the children still lives in Washington.
- [ ] *(Children's names)*: \_\_\_\_\_ do not have another home state.
- [ ] **No home state or home state declined** – No court of any other state (or tribe) has the jurisdiction to make decisions for *(children's names)*: \_\_\_\_\_, **or** a court in the children's home state (or tribe) decided it is better to have this case in Washington **and**:
- The children and a parent or someone acting as a parent have ties to Washington beyond just living here; **and**
  - There is a lot of information (substantial evidence) about the children's care, protection, education and relationships in this state.
- [ ] **Other state declined** – The courts in other states (or tribes) that might be *(children's names)*: \_\_\_\_\_'s home state have refused to take this case because it is better to have this case in Washington.
- [ ] **Temporary emergency jurisdiction** – Washington had temporary emergency jurisdiction over *(children's names)*: \_\_\_\_\_ when the case was filed, and now has jurisdiction to make a final custody decision because:
- When the case was filed, the children were abandoned in this state, or the children were in this state and the children (or children's parent, brother or sister) was abused or threatened with abuse;
  - The court signed a temporary order on *(date)* \_\_\_\_\_ saying that Washington's jurisdiction will become final if no case is filed in the children's home state (or tribe) by the time the children have been in Washington for 6 months;
  - The children have now lived in Washington for 6 months; **and**
  - No case concerning the children has been started in the children's home state (or tribe).
- [ ] Other reason *(specify)*: \_\_\_\_\_
- \_\_\_\_\_

## 6. Background Records Checked

The Court has (unless stated otherwise below):

- Checked the judicial information system for any information or proceedings relevant to placement of the children;
- Reviewed the records from the Department of Social and Health Services provided in response to the court's *Order to DSHS to Release CPS Information*; and
- Reviewed the criminal history record from the Washington State Patrol for Petitioner and each adult living in Petitioner's home.

☐ The court did not check background records because the *Petition* is denied.

☐ Other findings (*specify*): \_\_\_\_\_  
\_\_\_\_\_

## 7. Adequate Cause

The Court found there was adequate cause to make a final decision on the *Petition* in an *Order on Adequate Cause for Non-Parent Custody* (form FL Non-Parent 417) signed by the court on (*date*): \_\_\_\_\_.

## 8. Are there valid reasons why the children should not live with a parent?

☐ **No.** The Petitioners did not prove that both parents were unfit or that the children would suffer actual detriment (harm) to their growth and development if they lived with either parent. The *Petition* should be denied.

☐ (*Other findings*): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

☐ **Yes.** At the time this case was filed (*check all that apply*):

☐ the children were not living with either parent. The children had been living with (*name/s*): \_\_\_\_\_ since (*date*): \_\_\_\_\_.

☐ neither parent was a suitable custodian.

**And,**

Both parents are **currently** unfit, or, even if they may be fit, the children will suffer actual detriment (harm) to their growth and development if they lived with either parent.

(*These conclusions are based on the following facts.*)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



**9. Should the children live with Petitioner/s?**

- ☐ Does not apply. The Court found no valid reasons why the children should not live with a parent. The *Petition* should be denied.
- ☐ **No.** The *Petition* should be denied. It is **not** in the children's best interests to live with the Petitioner/s because (*explain*):

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- ☐ **Yes.** It is in the children's best interests to live with the Petitioner/s because (*explain*):

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**10. Respondents' Visitation**

- ☐ Does not apply. The *Petition* should be denied.
- ☐ The visitation ordered is reasonable. Findings about any reasons for limiting a parent's visitation are summarized either in the *Residential Schedule* or the *Non-Parent Custody Order*. These findings are supported by the following facts (*include facts about both parents*):

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**11. Limitation on Petitioner's Authority (RCW 26.10.170)**

- ☐ Does not apply. The *Petition* should be denied.
- ☐ No limits should be put on the Petitioner's authority over the children's upbringing or decision-making for the children.
- ☐ Limits should be put on the Petitioner's authority over the children's upbringing or decision-making for the children because (*check all that apply*):

☐ the parties have agreed as follows: \_\_\_\_\_

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☐ without a limit, the children's physical, mental, or emotional health would be endangered. (*Explain*): \_\_\_\_\_

- ☐ The court finds that an agency should be appointed to assure the Petitioner is following the custodial or visitation terms of the order. The court finds that (agency name): \_\_\_\_\_ is an appropriate agency that regularly deals with children.
- ☐ Other findings: \_\_\_\_\_

## 12. Support, insurance and taxes

The court has considered whether to order child support, health insurance, and allocation of tax exemptions. The court finds:

- ☐ Does not apply. The *Petition* should be denied.
- ☐ **Child Support** – The children should be supported according to state law.
- ☐ The court signed the final *Child Support Order* and *Worksheets* filed separately today or on (date): \_\_\_\_\_.
- ☐ There is no need for the court to make a child support order because the DSHS Division of Child Support (DCS) has already established an administrative child support order for the children.
- ☐ **Health Insurance or other expenses** – The parents should pay for health insurance, uninsured medical, day care, or other necessary expenses as listed in the (check one):
- ☐ final *Child Support Order* or administrative order.
- ☐ *Final Non-Parent Custody Order* (if no *Child Support Order* is being issued). Support is ordered based on the *Worksheets* and/or the following findings:

- ☐ **Tax Issues** – The parties should have the right to claim the children as their dependents for purposes of personal tax exemptions and associated tax credits on their tax forms as listed on the final *Child Support Order* or *Non-Parent Custody Order*.

**Important!** Although the personal tax exemptions are currently suspended under federal law through tax year 2025, other tax benefits may flow from claiming a child as dependent.

- ☐ (Check here if the court is **not** ordering child support, health insurance, other expenses, and/or allocating tax exemptions, and explain why.) \_\_\_\_\_

- ☐ Other (specify): \_\_\_\_\_

## 13. Protection Order

- ☐ No one requested an *Order for Protection* in this case.
- ☐ (Name): \_\_\_\_\_ requested an *Order for Protection* in this case.

**Conclusion:** The court should (*check one*):

☐ **not** approve an *Order for Protection* order because: \_\_\_\_\_

\_\_\_\_\_

☐ approve an *Order for Protection* because: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

#### 14. Restraining Order

☐ No one requested a *Restraining Order* in this case.

☐ (*Name*): \_\_\_\_\_ requested a *Restraining Order*.

**Conclusion:** The court should (*check one*):

☐ **not** approve a *Restraining Order* because: \_\_\_\_\_

\_\_\_\_\_

☐ approve a *Restraining Order* because: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

#### 15. Fees and Court Costs

☐ Each party should pay his/her own fees or costs.

☐ (*Name*): \_\_\_\_\_ incurred fees and costs, and needs help to pay those fees and costs. (*Name*): \_\_\_\_\_ has the ability to help pay fees and costs and should be ordered to pay the amount as listed in the *Final Non-Parent Custody Order* or *Final Order Denying Non-Parent Custody*. The court finds that the amount ordered is reasonable.

☐ Fees for a guardian ad litem (GAL) or other court-appointed professional should be paid as listed in the *Final Non-Parent Custody Order* or *Final Order Denying Non-Parent Custody*. The court has considered relevant factors including each party's ability to pay, and finds the fees as ordered are reasonable.

☐ Other findings: \_\_\_\_\_

\_\_\_\_\_

#### 16. Other findings or conclusions (if any)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
*Date*



\_\_\_\_\_  
*Judge or Commissioner*

**Petitioner/s and Respondent/s or their lawyers fill out below.**

This document (*check any that apply*):

☐ is an agreement of the parties

☐ is presented by me

☐ may be signed by the court without notice to me

This document (*check any that apply*):

☐ is an agreement of the parties

☐ is presented by me

☐ may be signed by the court without notice to me



\_\_\_\_\_  
*Petitioner signs here or lawyer signs here + WSBA #*



\_\_\_\_\_  
*Respondent signs here or lawyer signs here + WSBA #*

\_\_\_\_\_  
*Print Name*

\_\_\_\_\_  
*Date*

This document (*check any that apply*):

☐ is an agreement of the parties

☐ is presented by me

☐ may be signed by the court without notice to me

This document (*check any that apply*):

☐ is an agreement of the parties

☐ is presented by me

☐ may be signed by the court without notice to me



\_\_\_\_\_  
*Other Petitioner or lawyer signs here + WSBA #*



\_\_\_\_\_  
*Other Respondent or lawyer signs here + WSBA #*

\_\_\_\_\_  
*Print Name*

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*Print Name*

\_\_\_\_\_  
*Date*

Hearing date: \_\_\_\_\_

Hearing time: \_\_\_\_\_

Judge/Calendar: \_\_\_\_\_

**Superior Court of Washington, County of Thurston, Family & Juvenile Court**

In re custody of:

Children:

\_\_\_\_\_

Petitioner/s *(person/s who started this case)*:

\_\_\_\_\_

Respondents *(parents and any guardian or custodian)*:

\_\_\_\_\_

\_\_\_\_\_

No. \_\_\_\_\_

Final Non-Parent Custody Order  
(DCC)

[ ] Clerk's action required: **1, 7, 9, 10**

**Final Non-Parent Custody Order**

**1. Money Judgment Summary**

[ ] No money judgment is ordered.

[ ] Summarize any money judgment from section 7 in the table below.

Judgment for	Debtor's name <i>(person who must pay money)</i>	Creditor's name <i>(person who must be paid)</i>	Amount	Interest
Lawyer fees				
Guardian ad litem (GAL) fees			\$	\$
Court costs			\$	\$
Other fees and expenses <i>(specify)</i> :			\$	\$
Yearly Interest Rate: ____% <i>(12% unless otherwise listed)</i>				
Lawyer <i>(name)</i> :		represents <i>(name)</i> :		
Lawyer <i>(name)</i> :		represents <i>(name)</i> :		

➤ **The court has made Findings and Conclusions in this case and now Orders:**

**2. Custody**

The Petitioners are granted custody of the following children:

Child's Name	Age	Child's Name	Age
1.		2.	
3.		4.	
5.		6.	

**3. Petitioner's Authority**

The Petitioner/s have the right to make decisions and determine the children's upbringing, including their education, health care, and religious training.

☐ There are no limits on the Petitioner's authority over the children's upbringing or decision-making for the children.

☐ Petitioner's authority is limited as follows:

☐ (Specify limitation): \_\_\_\_\_

☐ (Agency): \_\_\_\_\_  
shall exercise continuing supervision over the case to assure that the custodian is following the custodial or visitation terms of the order. The agency shall: \_\_\_\_\_

☐ Other: \_\_\_\_\_

**4. Respondent's Visitation**

Respondent (name): \_\_\_\_\_ shall have (check one):

☐ visitation as listed in the **Residential Schedule** signed by the court and filed separately today or on (date): \_\_\_\_\_.

☐ **no visitation** with the children. The following reasons for limiting visitation apply and are severe enough to justify no visitation (check all that apply):

☐ Abandonment – s/he intentionally abandoned a child listed in **2** for an extended time.

☐ Neglect – s/he substantially refused to perform his/her parenting duties for a child listed in **2**.

☐ Child Abuse – s/he (or someone living in that parent's home) abused or threatened to abuse a child. The abuse was (check all that apply):

☐ physical ☐ sexual ☐ repeated emotional abuse.

☐ Domestic Violence – s/he (or someone living in that parent's home) has a history of domestic violence as defined in RCW 26.50.010.

☐ Assault – s/he (or someone living in that parent's home) has assaulted or sexually assaulted someone causing grievous physical harm or fear of such harm.

- ☐ Sex Offense –
- ☐ s/he has been convicted of a sex offense as an adult.
  - ☐ someone living in his/her home has been convicted as an adult or adjudicated as a juvenile of a sex offense.
- ☐ Other Reason (*specify*): \_\_\_\_\_
- \_\_\_\_\_

## 5. Other Respondent's Visitation

- ☐ There is no other Respondent.
- ☐ Respondent (*name*): \_\_\_\_\_ shall have (*check one*):
- ☐ visitation as listed in the **Residential Schedule** signed by the court and filed separately today or on (*date*): \_\_\_\_\_.
  - ☐ **no visitation** with the children. The following reasons for limiting visitation apply and are severe enough to justify no visitation (*check all that apply*):
    - ☐ Abandonment – s/he intentionally abandoned a child listed in **2** for an extended time.
    - ☐ Neglect – s/he substantially refused to perform his/her parenting duties for a child listed in **2**.
    - ☐ Child Abuse – s/he (or someone living in that parent's home) abused or threatened to abuse a child. The abuse was (*check all that apply*):
      - ☐ physical
      - ☐ sexual
      - ☐ repeated emotional abuse.
    - ☐ Domestic Violence – s/he (or someone living in that parent's home) has a history of domestic violence as defined in RCW 26.50.010(1).
    - ☐ Assault – s/he (or someone living in that parent's home) has assaulted or sexually assaulted someone causing grievous physical harm or fear of such harm.
    - ☐ Sex Offense –
      - ☐ s/he has been convicted of a sex offense as an adult.
      - ☐ someone living in his/her home has been convicted as an adult or adjudicated as a juvenile of a sex offense.
    - ☐ Other Reason (*specify*): \_\_\_\_\_
- \_\_\_\_\_

## 6. Support, insurance and taxes

- ☐ The court is not issuing an order about support, insurance, or taxes at this time.
- ☐ **Child Support** – The court (*check one*):
- ☐ signed the final *Child Support Order* and *Worksheets* filed separately today or on (*date*): \_\_\_\_\_.
  - ☐ is not issuing a child support order. There is an administrative child support order(s) established by DSHS Division of Child Support (DCS).

*DCS child support orders do not cover tax issues or post-secondary (college or vocational school) support.*

- ☐ **Health Insurance or other expenses** – The parents must pay for health insurance, uninsured medical, day care, or other necessary expenses (*check one*):

☐ as listed on the final *Child Support Order*.

☐ as follows (*specify*): \_\_\_\_\_

- ☐ **Tax Issues** – The parties have the right to claim the children as their dependents for purposes of personal tax exemptions and associated tax credits on their tax forms as follows (*check one*):

☐ as listed on the *Child Support Order*.

☐ Petitioners may claim the children.

☐ other (*specify*): \_\_\_\_\_

**Important!** Although the personal tax exemptions are currently suspended under federal law through tax year 2025, other tax benefits may flow from claiming a child as dependent.

- ☐ Other (*specify*): \_\_\_\_\_

## 7. Money Judgment for fees and costs (*summarized on page 1*)

- ☐ No money judgment is ordered.

- ☐ The court orders a money judgment for fees and costs as follows:

Judgment for	Debtor's name (person who must pay money)	Creditor's name (person who must be paid)	Amount	Interest
<input type="checkbox"/> Lawyer fees			\$	\$
<input type="checkbox"/> Guardian ad litem (GAL) fees			\$	\$
<input type="checkbox"/> Court costs			\$	\$
<input type="checkbox"/> Other fees and expenses ( <i>specify</i> ):			\$	\$

The **interest rate** is 12% unless another amount is listed below.

- ☐ The interest rate is \_\_\_\_% because (*explain*): \_\_\_\_\_

## 8. Protection Order

- ☐ No one requested an *Order for Protection* in this case.

- ☐ **Approved** – The request for an *Order for Protection* is approved. The *Order for Protection* is filed separately.

- ☐ **Denied** – The request for an *Order for Protection* is denied. The *Denial Order* is filed separately.



☐ **Renewed/Changed** – The existing *Order for Protection* filed in or combined with this case is renewed or changed as described in the following order, filed separately (*check one*):

☐ *Order on Renewal of Order for Protection*

☐ *Order Modifying/Terminating Order for Protection*

☐ Other: \_\_\_\_\_

## 9. Restraining Order

☐ No one requested a *Restraining Order* in this case.

☐ **Approved** – The request for a *Restraining Order* is approved. The *Restraining Order* is filed separately.

☐ **Denied** – The request for a *Restraining Order* is denied.

☐ *Check this box if the court previously signed a temporary Restraining Order and is **not** signing a final Restraining Order in this case. Also check the “Clerk’s action required” box in the caption on page 1.*

Name of law enforcement agency where the Protected Person lived when the *Restraining Order* was issued: \_\_\_\_\_

**To the Clerk:** Provide a copy of this Order to the agency listed above within 1 court day. The law enforcement agency must remove the temporary *Restraining Order* from the state’s database.

## 10. Guardian ad Litem

☐ Does not apply.

☐ The guardian ad litem (GAL) is discharged from this case.

☐ Other (*specify*): \_\_\_\_\_

## 11. Other Orders

The *Warnings* below are required by law and are made part of this order.

☐ Other (*specify*): \_\_\_\_\_

**Ordered.**

\_\_\_\_\_  
Date

\_\_\_\_\_  
Judge or Commissioner

## Petitioner and Respondent/s or their lawyers fill out below.

This document (*check any that apply*):

☐ is an agreement of the parties

☐ is presented by me

☐ may be signed by the court without notice to me

This document (*check any that apply*):

☐ is an agreement of the parties

☐ is presented by me

☐ may be signed by the court without notice to me

\_\_\_\_\_  
Petitioner signs here **or** lawyer signs here + WSBA #

\_\_\_\_\_  
Respondent signs here **or** lawyer signs here + WSBA #

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Date

This document (*check any that apply*):

☐ is an agreement of the parties

☐ is presented by me

☐ may be signed by the court without notice to me



\_\_\_\_\_  
Other Petitioner **or** lawyer signs here + WSBA #

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Date

This document (*check any that apply*):

☐ is an agreement of the parties

☐ is presented by me

☐ may be signed by the court without notice to me



\_\_\_\_\_  
Other Respondent **or** lawyer signs here + WSBA #

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Date

## Warnings about Moving with the Children (Relocation)!

### Notice

Anyone with majority or substantially equal residential time (at least 45 percent) who wants to move with the children **must notify** every other person who has court-ordered time with the children.

### Move to a different school district

If the move is to a different school district, the custodian must complete the form *Notice of Intent to Move with Children* (FL Relocate 701) and deliver it at least **60 days** before the intended move.

#### Exceptions:

- If the custodian could not reasonably have known enough information to complete the form in time to give 60 days' notice, the custodian must give notice within **5 days** after learning the information.
- If the custodian is relocating to a domestic violence shelter or moving to avoid a clear, immediate and unreasonable risk to health or safety, notice may be delayed **21 days**.
- If information is protected under a court order or the address confidentiality program, it may be withheld from the notice.
- A custodian who believes that giving notice would put her/himself or a child at unreasonable risk of harm, may ask the court for permission to leave things out of the notice or to be allowed to move without giving notice. Use form *Motion to Limit Notice of Intent to Move with Children (Ex Parte)* (FL Relocate 702).

The *Notice of Intent to Move with Children* can be delivered by having someone personally serve the other party or by any form of mail that requires a return receipt.

If the custodian wants to change the *Parenting Plan* because of the move, s/he must deliver a proposed *Parenting Plan* together with the *Notice*.

### Move within the same school district

If the move is within the *same* school district, the custodian still has to let the other parent know. However, the notice does not have to be served personally or by mail with a return receipt. Notice to the other party can be made in any reasonable way. No specific form is required.

### Warning! If you do not notify...

A custodian who does not give the required notice may be found in contempt of court. If that happens the court can impose sanctions. Sanctions can include requiring the custodian to bring the children back if the move has already happened, and ordering the custodian to pay the other side's costs and lawyer's fees.

### Right to object

A person who has court-ordered time with the children can object to a move to a different school district and/or to the custodian's proposed *Parenting Plan*. If the move is within the same school district, the other party doesn't have the right to object to the move, but s/he may ask to change the *Parenting Plan* if there are adequate reasons under the modification law (RCW 26.09.260).

An objection is made by filing the *Objection about Moving with Children and Petition about Changing a Parenting/Custody Order (Relocation)* (form FL Relocate 721). File your *Objection* with the court and serve a copy on the custodian and anyone else who has court-ordered time with the children. Service of the *Objection* must be by personal service or by mailing a copy to each person by any form of mail that requires a return receipt. The *Objection* must be

filed and served no later than **30 days** after the *Notice of Intent to Move with Children* was received.

### **Right to move**

During the 30 days after the *Notice* was served, the custodian may not move to a different school district with the children unless s/he has a court order allowing the move.

After the 30 days, if no *Objection* is filed, the custodian may move with the children without getting a court order allowing the move.

After the 30 days, if an *Objection* has been filed, the custodian may move with the children **pending** the final hearing on the *Objection* **unless**:

- The other party gets a court order saying the children cannot move, or
- The other party has scheduled a hearing to take place no more than 15 days after the date the *Objection* was served on the custodian. (However, the custodian may ask the court for an order allowing the move even though a hearing is pending if the custodian believes that s/he or a child is at unreasonable risk of harm.)

The court may make a different decision about the move at a final hearing on the *Objection*.

### **Parenting Plan after move**

If the custodian served a proposed *Parenting Plan* with the *Notice*, **and** if no *Objection* is filed within 30

days after the *Notice* was served (or if the parties agree):

- Both parties may follow that proposed plan without being held in contempt of the *Parenting Plan* that was in place before the move. However, the proposed plan cannot be enforced by contempt unless it has been approved by a court.
- Either party may ask the court to approve the proposed plan. Use form *Ex Parte Motion for Final Order Changing Parenting Plan – No Objection to Moving with Children* (FL Relocate 706).

### **Forms**

You can find forms about moving with children at:

- The Washington State Courts' website: [www.courts.wa.gov/forms](http://www.courts.wa.gov/forms),
- The Administrative Office of the Courts – call: (360) 705-5328,
- Washington LawHelp: [www.washingtonlawhelp.org](http://www.washingtonlawhelp.org), or
- The Superior Court Clerk's office or county law library (for a fee).

*(This is a summary of the law. The complete law is in RCW 26.09.430 through 26.09.480.)*

**Warning!** Violation of this order may be punishable by contempt of court and may be a criminal offense.

**Superior Court of Washington, Thurston County**  
**Family and Juvenile Court**

Petitioner:

\_\_\_\_\_

Respondent:

\_\_\_\_\_

Case No. \_\_\_\_\_

**Notice of Hearing for  
Ex Parte and Emergency Motions During  
Covid-19 Protocols**

(NTHG)

**To the County Clerk and all parties:**

**1.** A court hearing has been scheduled for: \_\_\_\_\_ (date) at \_\_\_\_\_ (time).

**THERE WILL BE NO IN-PERSON HEARING (see information below for each calendar).**

**2.** The **name** of the motion or type of hearing is: \_\_\_\_\_

The motion was filed on: \_\_\_\_\_ (date) by \_\_\_\_\_ (name of party).

**3.** The hearing should be scheduled on the following court session:

→ Check that the court session is available before you schedule a hearing. You can see whether a session is full on the Clerk's web page: [www.co.thurston.wa.us/clerk](http://www.co.thurston.wa.us/clerk)

☐ **Probate & Guardianship Ex Parte Motions  
DECIDED WITHOUT A HEARING**  
\*DO NOT GO TO COURT\*  
Monday at 8:00 a.m.

☐ **Ex parte -- Emergency Motions**  
Monday through Friday at 4:00 p.m.  
APPEAR FOR HEARING BY **Zoom**  
\* See last page for instructions.

☐ **State Family Law Agreed Ex Parte Orders  
DECIDED WITHOUT A HEARING**  
\*DO NOT GO TO COURT\*  
Wednesday at 8:00 a.m.

→ **You need to schedule this hearing by 12:00 p.m.  
the day of the scheduled hearing.**

**Monday/Friday:**  
**Courtroom 3: Meeting ID: 786-408-0165#**

☐ **Family Law Agreed Orders  
DECIDED WITHOUT A HEARING**  
\*DO NOT GO TO COURT\*  
Friday 8:00 a.m.

**Tuesday/ Wednesday/ Thursday:**  
**Courtroom 4: Meeting ID: 242-974-5214#**

→ **A hearing on all of the above calendars  
needs to be scheduled by 12:00 p.m. at least 2  
business days ahead of time.**

Do not contact court administration to check on the status of documents being filed or signed. You can check Odyssey Portal at <https://odysseyportal.courts.wa.gov/odyportal> to see if your documents have been filed. If you do not have Odyssey Portal you can contact the Clerk's Office by emailing [county\\_clerk@co.thurston.wa.us](mailto:county_clerk@co.thurston.wa.us) or by calling 360-709-3260.

#### 4. Declaration of Service

I declare that on \_\_\_\_\_, 20\_\_\_\_,  
I ☐ deposited in the United States mail, ☐ delivered through  
a legal messenger service, ☐ personally delivered, a copy of  
this notice of hearing, the motion, and all paperwork filed  
along with the motion, to all people listed below in section 6.

**I declare under penalty of perjury under the laws of  
Washington State that the foregoing is true and correct.**

Signed at \_\_\_\_\_ (city) \_\_\_\_\_ (State) on  
\_\_\_\_\_ (date signed).

\_\_\_\_\_  
(signature)  
\_\_\_\_\_  
(printed name)

#### 5. Person Scheduling this Hearing:

[ ] Petitioner [ ] Respondent

[ ] Other: \_\_\_\_\_

Sign: \_\_\_\_\_

Print Name: \_\_\_\_\_

WSBA # \_\_\_\_\_ (if attorney)

Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_

Email (required): \_\_\_\_\_

Date: \_\_\_\_\_

#### 6. Names and Contact Information for Everyone Notified of this Hearing

Name: \_\_\_\_\_

Attorney for: \_\_\_\_\_

WSBA #: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

Email: \_\_\_\_\_

Name: \_\_\_\_\_

Attorney for: \_\_\_\_\_

WSBA #: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

Email: \_\_\_\_\_

Name: \_\_\_\_\_

Attorney for: \_\_\_\_\_

WSBA #: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

Email: \_\_\_\_\_

Name: \_\_\_\_\_

Attorney for: \_\_\_\_\_

WSBA #: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

Email: \_\_\_\_\_

**Attach more pages if needed.**

## 8. Instructions for Appearing to your Zoom Meeting

### Joining by Computer or Smartphone

Zoom hearings can be joined from the internet, the Zoom application ("App"), landline or mobile phone (**Instructions below**), and with a H.323 or SIP device.

You will need the **Zoom Meeting ID** number for the hearing. The **Zoom Meeting ID** for your calendar can be found in section 3 on the first page of this Notice and on the court's website.

1. Go to <https://zoom.us/>
2. Once on the Zoom site and click the "Join a meeting" option, or use this link: <https://zoom.us/join>
3. Enter the Meeting ID and click "Join"

You can also download an application ("App") to your smartphone or device. To download the Zoom mobile application, visit the zoom website at <https://zoom.us/download>

4. Once you have joined, you will enter the virtual waiting room. Prior to the start of your hearing, the judicial officer or court employee will admit you into the virtual hearing. You might have to wait past the start of your hearing time. Please be patient.

#### Join by telephone if:

- You do not have a microphone or speaker on your PC/Mac,
- You do not have a smartphone (iOS or Android), or
- You cannot connect to a network for video and VoIP (computer audio)

### DO NOT RECORD ANY COURT HEARINGS

The Court keeps a record of all proceedings. Do not record any court proceedings. You can order transcripts or copies of the hearing from the Court. If you would like to order a copy of the record or a transcript of the proceeding, information can be found on the Court's Website:

<https://www.thurstoncountywa.gov/sc/Pages/transcripts.aspx>

### To join by telephone:

If you are joining via telephone, call one of the telephone numbers listed in the box, then enter your calendar **Zoom Meeting ID** number. The **Zoom Meeting ID** for your calendar can be found in section 3 on the first page of this Notice and on the court's website.

1. Call one of the telephone numbers provided in the box below.

#### Dial by your location

+1 253 215 8782 US (Tacoma)  
+1 669 900 9128 US (San Jose)  
+1 346 248 7799 US (Houston)  
+1 646 558 8656 US (New York)  
+1 301 715 8592 US (Germantown)  
+1 312 626 6799 US (Chicago)

Find your local number:

<https://us02web.zoom.us/j/kcK71YNq>

2. Enter the assigned **Zoom Meeting ID** number found in section 3 followed by # symbol.
  - Phone Controls:
    - \*6 - Toggle mute/unmute
    - \*9 - Raise hand

### Considerations for Virtual Hearings:

Virtual hearings are just like attending court in person.

#### Required:

- Dress appropriate
- Mute your microphone unless you are asked to speak
- Follow judicial officer's stated rules or risk being removed from the hearing
- You can only attend one virtual hearing at a time, please contact the court if you are scheduled to appear in multiple hearings.

#### If Possible:

- Avoid moving your video or quick movements  
Find a quiet space

**SUPERIOR COURT OF WASHINGTON  
IN AND FOR THURSTON COUNTY  
FAMILY & JUVENILE COURT**

vs.

Petitioner,

Respondent.

No.

Verification for Finalizing Family Law  
Actions  
VR

\_\_\_\_\_ (name) being first duly sworn on oath deposes and says:  
I am the Petitioner or Respondent in this case and I have read the foregoing findings of fact and conclusions of law, parenting plan, support order, and related documents, if included herein, and they are true and accurate to the best of my knowledge. If this is a default, I am not seeking any relief beyond that specifically requested in the petition. The support requested, if any, is in compliance with the Washington State Child Support Schedule.

\_\_\_\_\_  
Petitioner's or Respondent's Signature

SUBSCRIBED AND SWORN TO before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public for the State of Washington,

residing at \_\_\_\_\_. My commission expires \_\_\_\_\_.

**THURSTON COUNTY FAMILY & JUVENILE COURT**

MAIL: 2000 Lakeridge Dr. S.W. Olympia, WA 98502

LOCATION: 2801 32<sup>nd</sup> Ave Tumwater WA 98512

(360) 709-3201

Fax: (360) 709-3256

Verification